

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

LeClairRyan, PLLC,¹

Debtor

Case No.

19-34574-KRH

Chapter 7

ORDER APPROVING SETTLEMENT

This day came Lynn L. Tavenner, Trustee (the “**Trustee**”), by counsel, on her Motion for Approval of Compromise and Settlement and Memorandum of Law (the “**Settlement Motion**”),² the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) notice of the Motion and hearing thereon was sufficient under the circumstances, and (d) the Settlement represents (i) a sound exercise of the Trustee’s business judgment, (ii) falls within the range of reasonableness, (iii) is fair and equitable, and (iv) is in the best interest of the Estate and creditors; and the Court having determined that the legal and factual basis set forth in the Settlement Motion establish just cause for the relief granted herein;

UPON DUE CONSIDERATION, IT IS ORDERED, ADJUDGED AND DECREED

THAT:

1. The Settlement Motion is granted.

¹ The principal address of the Debtor as of the Petition Date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor’s federal tax identification number are 2451.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Settlement Motion.

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2. The Settlement is approved. The Trustee is authorized to take all action necessary to effectuate the Settlement.

3. Cityside is hereby granted an allowed Chapter 7 administrative expense in the amount of \$3,000.00 to be paid within 30 days of this Order becoming final, non-appealable.

4. Cityside is hereby granted an allowed Chapter 11 administrative expense in the amount of \$55,000.00, which amount shall not be paid immediately, but shall be paid pursuant to the provisions of the Bankruptcy Code or any procedures that the Court may approve in this Case for the payment of Chapter 11 post-petition administrative expenses (whichever would result in an earlier distribution).

5. Cityside is hereby granted an allowed pre-petition claim as a general unsecured creditor in the amount of \$135,000.00 to be paid pursuant to the provisions of the Bankruptcy Code when other distributions of similar general unsecured claims are made in connection with the Trustee's final report.

6. Cityside shall destroy all records, electronic and physical, of LeClairRyan (and/or of its predecessors) in its possession and certify to the Trustee upon completion of the same.

7. Except as expressly provided herein, Cityside shall be entitled to no additional distribution of any kind from the Estate.

8. Nothing herein shall alter or otherwise impact the rights of the Trustee under the Client File Order including but not limited to the ability to assess and collect from former attorneys of the Debtor amounts related to destruction costs of client files.

9. The Court shall retain exclusive jurisdiction to interpret and enforce the terms of this Order.

Entered: Sep 17 2021

/s/ Kevin R Huennekens

UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Sep 20 2021

I ask for this:

/s/ Paula S. Beran

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Counsel for Lynn L. Tavenner, Trustee

SEEN AND AGREED:

/s/ David Gorvitz (approval via 8/13/21 email)

David Gorvitz, Esquire
Orloff, Lowenbach, Stifelman & Siegel, P.A.
44 Whippny Road, Suite 100
Morristown, NJ 07960

Counsel for Cityside Archives LLC

CERTIFICATION

I hereby certify that, pursuant to Local Rule 9022-1, the foregoing Order Approving Settlement has been served upon and/or endorsed by all necessary parties.

/s/ Paula S. Beran

Counsel for the Trustee

Service List

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